

AMENDMENTS TO THE CLAIMS:

Claims 1-9: (Canceled)

10. (Currently Amended) A method to attract termites, comprising:

providing an enclosure having openings for termites to pass therethrough;

providing, ~~in said enclosure~~, an emitting source for emitting at least one gas of: (i) CO<sub>2</sub>, and (ii) one or more mimics thereof including haloalkanes and alkylcarbonates;

5       ~~wherein when said enclosure~~

wherein when said enclosure is in a desired position, at a location having the termites, with said emitting source in said enclosure with said emitting source therein, is positioned at a location such that for the at least one gas emitted by said emitting source, a concentration of said at least one gas is emitted from said openings so that when said  
10       concentration is encountered by the termites, the termites are attracted to said emitting source;

      wherein said concentration is approximately at least 0.2% by volume of an ambient atmosphere;; and

wherein said emitted concentration is maintained remains in an area about said  
15       enclosure for at least two weeks so that the termites are attracted to said emitting source rather than to a structure sought to be protected from the termites; and

wherein said enclosure is, at least prior to being placed in the desired position, separate from the location having the termites.

11.     (Currently Amended) The method of Claim 10, wherein said concentration is in a range extending to no more than about 50%, wherein said enclosure includes a sufficient amount of said emitting source for maintaining the emissions of the at least one gas so that the concentration is not lethal to the termites, and is at least about 0.2% by volume of air is encountered by termites over a period of at least two months in an area large enough to reduce termite attraction to the structure.

12. (Previously Added) The method of Claim 10, wherein said concentration is in a range extending to about 5%.
13. (Previously Added) The method of Claim 10, wherein said concentration is in a range extending to about 2%.
14. (Previously Added) The method of Claim 10, wherein said concentration is in a range from about 0.5% to 1%.
15. (Currently Amended) The method of Claim 10, wherein said emitting source includes at least one of: a carbonate, ~~calcium carbonate or and a bicarbonate~~ formulation.
16. (Currently Amended) The method of Claim 10, further including a step of providing soil in said enclosure ~~soil~~.
17. (Previously Added) The method of Claim 16, further including providing said soil with a moisture content of approximately 20%.
18. (Currently Amended) The method of Claim 10, further including a step of providing in said enclosure at least one of: an insecticide, insect growth regulator, a feeding stimulant, another termite attractant, or and a material that changes termite movement.
19. (Currently Amended) The method of Claim 18, further including a step of including in said enclosure at least one of: ~~hexaflumuron~~ hexaflurone, ~~hydramethylnon~~, or and phermones a pheromone.
20. (Previously Added) The method of Claim 10, wherein said enclosure includes one of: bacterial, fungal, algal, and other microorganism formulations for generating said concentration.

21. (Previously Added) The method of Claim 10, wherein said enclosure is positioned within two meters of a termite colony.

22. (Currently Amended) The method of Claim 10, wherein ~~said step of providing~~ said emitting source includes providing at least one of: spent brewer's grain, or ground germinated corn seeds, ~~sodium bicarbonate, and spent grain extract.~~

23. (Currently Amended) The method of Claim 10, wherein said emitting source includes a material that is at least one of: charred or ~~and~~ burned.

24. (Currently Amended) The method of Claim 23, wherein said material includes at least one of: wood, a cellulosic matrix, a polymeric matrix, wood, paper, cardboard, a fabric, a textile, wool, silk, bone, hair, horn, or ~~and~~ claws.

25. (Currently Amended) A termite trap, comprising:

an enclosure ~~having openings for attracting termites to pass therethrough, said enclosure including openings;~~

an emitting source for emitting at least one gas of: (i) CO<sub>2</sub>, and (ii) one or more  
5 mimics thereof, including haloalkanes and alkylcarbonates;

wherein when said enclosure, ~~with said emitting source therein, is positioned at in~~  
a desired position at a location having the termites, and said emitting source is provided  
in said enclosure such that for the at least one gas emitted by said emitting source, a  
10 concentration of said at least one gas is emitted from said openings so that when said  
concentration is encountered by the termites, the termites are attracted to said emitting  
source;

wherein said concentration is at least about 0.2% by volume of air encountered by  
termites;; ~~and~~

wherein said concentration ~~is maintained~~ remains in an area about said enclosure  
15 for at least two weeks so that the termites are attracted to said emitting source rather than  
to a structure sought to be protected from the termites; and

wherein said enclosure is, at least prior to being placed in the desired position, separate from the location having the termites.

26. (Previously Added)      The termite trap of Claim 25, wherein said concentration is in a range extending to about 50%.

27. (Previously Added)      The termite trap of Claim 25, wherein said concentration is in a range extending to about 5%.

28. (Previously Added)      The termite trap of Claim 25, wherein said concentration is in a range extending to about 2%.

29. (Previously Added)      The termite trap of Claim 25, wherein said concentration is in a range from about 0.5% to 1%.

30. (Previously Added)      The termite trap of Claim 25, wherein said emitting source includes one of: carbonate, ~~calcium carbonate and a~~ or bicarbonate formulation.

31. (Previously Added)      The termite trap of Claim 25, said enclosure includes soil.

32. (Previously Added)      The termite trap of Claim 31, where said soil has a moisture content of approximately 20%.

33. (Currently Amended)      The termite trap of Claim 25, wherein said enclosure includes at least one of: an insecticide, insect growth regulator, a feeding stimulant, another termite attractant, and a material that changes termite movement.

34. (Currently Amended) The termite trap of Claim 33, wherein said enclosure includes one of: ~~hexaflumuron~~hexaflurone, ~~hydramethylnon~~, and ~~phermones~~ a pheromone.

35. (Previously Added) The termite trap of Claim 25, wherein said enclosure includes one of: bacterial, fungal, algal, and other microorganism formulations for generating said concentration.

36. (Previously Added) The termite trap of Claim 25, wherein said enclosure is positioned within two meters of a termite colony.

37. (Currently Amended) The termite trap of Claim 25, wherein said emitting source includes one of: spent brewer's grain, ground germinated corn seeds, ~~sodium bicarbonate~~, and spent grain extract.

38. (Previously Added) The termite trap of Claim 25, wherein said emitting source includes a material that is one of: charred and burned.

39. (Previously Added) The termite trap of Claim 38, wherein said material includes one of: wood, a cellulosic matrix, a polymeric matrix, wood, paper, cardboard, a fabric, a textile, wool, silk, bone, hair, horn, and claws.

40. (Previously Added) The termite trap of Claim 25, wherein no more than about 10% of the surface area of said enclosure comprises said openings.

41. (Currently Amended) The termite trap of Claim 25, wherein at least some of said openings are approximately 3 ~~mm~~millimeters in diameter.

42. (Previously Added) The termite trap of Claim 25, wherein said concentration attracts one of: *Reticulitermes tibialis*, *Reticulitermes flavipes*, and *Reticulitermes virginicus*.

43. (Currently Amended) The termite trap of Claim 25, wherein the termites are attracted through said openings by said emitting source.

44. (Currently Amended) The termite trap of Claim 25, wherein said enclosure includes a sufficient amount of said emitting source for maintaining the emissions of emitting the at least one gas so that the concentration of at least about 0.2% by volume of air is encountered by termites over a period of at least two months in an area large enough to attract the termites away from a portion of the structure susceptible to termite damage.

45. (Currently Amended) A termite trap, comprising:  
an enclosure ~~having openings for attracting termites to pass therethrough thereto, said enclosure including openings;~~  
means for emitting at least one gas of: (i) CO<sub>2</sub>, and (ii) one or more mimics thereof including haloalkanes and alkylcarbonates;  
wherein when said enclosure, ~~with and~~ said means for emitting ~~therein, is positioned at~~ are in a desired position at a location having the termites, such that said means for emitting is provided within said enclosure such that for the at least one gas emitted by said means for emitting, a concentration of said at least one gas is emitted from said openings so that when said concentration is encountered by the termites, the termites are attracted to said emitting source;  
wherein said concentration is at least about 0.2% by volume of air encountered by termites; ~~and~~  
wherein said concentration is maintained remains in an area about said enclosure for at least two weeks so that the termites are attracted to said emitting source rather than to a structure sought to be protected from the termites; and

wherein said enclosure is, at least prior to being placed in the desired position, separate from the location having the termites.

46. (Currently Amended) A method ~~to~~ for distracting termites, comprising:

providing, in an enclosure having an interior for containing an emitting source for emitting at least one gas of: (i) CO<sub>2</sub>, and (ii) one or more mimics thereof ~~including haloalkanes and alkylcarbonates;~~

5 providing, in said enclosure, a plurality of openings for said at least one gas to pass therethrough, and for the termites to pass therethrough;

~~wherein when said enclosure, with said emitting source therein, is positioned at a location~~

10 wherein when said enclosure is in a desired position, at a location having the termites, with said emitting source in said enclosure, and at least most of said openings below ground such that for the at least one gas emitted by said emitting source, a concentration of said at least one gas is emitted from said openings below the ground so that when said concentration is encountered by the termites, the termites are distracted by said emitting source from a food source;

15 wherein said concentration is approximately at least four times a concentration of said at least one gas in 0.2% by volume of an ambient atmosphere above the ground substantially at the location, and said concentration ~~is maintained~~ remains in an area about said enclosure, below ground, for at least two weeks; and

20 wherein said enclosure is, at least prior to being placed in the desired position, separate from the location having the termites.

47. (New) The method of Claim 10, wherein said concentration is less than an amount to prevent movement of the termites.

48. (New) The method of Claim 10 further including a step of providing said enclosure below ground.

49. (New) The method of Claim 10, wherein said concentration is less than a concentration for inhibiting the termites from entering said enclosure.
50. (New) The method of Claim 10 wherein said range is greater than 0.2%.
51. (New) The method of Claim 10, wherein said enclosure is spaced apart from the structure approximately at least one meter.
52. (New) The method of Claim 10, wherein said openings have at least one dimension of approximately three millimeters.
53. (New) The method of Claim 18, wherein the termites enter said enclosure.
54. (New) The method of Claim 18, wherein said enclosure includes an insecticide for killing at least some termites of a colony near the location.
55. (New) The method of Claim 19, wherein said enclosure includes hexaflumuron.
56. (New) The method of Claim 20, wherein the desired position of said enclosure is outdoors.
57. (New) The method of Claim 10, wherein said enclosure is provided substantially below the ground when the at least one gas is emitted by said emitting source.
58. (New) The method of Claim 10, wherein said step of providing said emitting source includes providing one of: sodium bicarbonate, and spent grain extract.
59. (New) The method of Claim 58, wherein said emitting source includes spent grain extract.



60. (New) The method of Claim 10, wherein each of said openings moves correspondingly with a movement of said enclosure.
61. (New) The method of Claim 10, further including a step of transporting said enclosure so that said enclosure is more available for use at the location having the termites.
62. (New) The method of Claim 10, wherein said openings are not generated by termites.
63. (New) The method of Claim 10, wherein said enclosure is constructed of one or more of: plastic, glass, ceramic, and metal.
64. (New) The method of Claim 63, further including a step of providing said openings in said enclosure according to a predetermined design for said openings.
65. (New) The method of Claim 10, wherein at least a majority of said openings are positioned below ground.
66. (New) The method of Claim 10, wherein said emitting source includes a product derived from corn.
67. (New) The method of Claim 10, wherein said emitting source includes corn cob grits.
68. (New) The method of Claim 10, wherein said concentration attracts *Reticulitermes tibialis*.
69. (New) The method of Claim 10, wherein said concentration attracts *Reticulitermes flavipes*.

70. (New) The method of Claim 10, wherein said concentration attracts *Reticulitermes virginicus*.

71. (New) The termite trap of Claim 25, wherein said emitting source includes sodium bicarbonate.

72. (New) The method of Claim 25, wherein said emitting source includes a product derived from corn.

73. (New) The method of Claim 25, wherein said emitting source includes corn cob grits.

74. (New) The termite trap of Claim 25, wherein said enclosure includes a substantially enclosed bottom for supporting the contents therein.

75. (New) The method of Claim 33, wherein said enclosure includes an insecticide for killing at least some termites of a colony near the location.

76. (New) The method of Claim 33, wherein said enclosure includes a termite growth regulator for killing at least some termites of a colony near the location.

77. (New) The termite trap of Claim 34, wherein said enclosure includes hexaflumuron.

78. (New) The termite trap of Claim 35, wherein the desired position of said enclosure is outdoors.

79. (New) The termite trap of Claim 25, wherein said openings are for termites to pass through.

80. (New) The method of Claim 25, wherein said openings are not generated by termites.

81. (New) The method of Claim 25, wherein said enclosure is constructed of one or more of: plastic, glass, ceramic, and metal.

82. (New) The method of Claim 25, wherein said openings in said enclosure are manufactured according to a predetermined design for said openings.

83. (New) The method of Claim 25, wherein at least a majority of said openings are positioned below ground.

84. (New) The method of Claim 25, wherein said concentration is less than a concentration for inhibiting the termites from entering said enclosure.

85. (New) The termite trap of Claim 42, wherein said concentration attracts *Reticulitermes tibialis*.

86. (New) The termite trap of Claim 42, wherein said concentration attracts *Reticulitermes flavipes*.

87. (New) The termite trap of Claim 42, wherein said concentration attracts *Reticulitermes virginicus*.

88. (New) The termite trap of Claim 44, wherein the area has a extent that is no more than approximately two meters from the structure.

89. (New) The method of Claim 45, wherein said enclosure includes at least one of: an insecticide, insect growth regulator, a feeding stimulant, or a termite attractant different from said at least one gas.

90. (New) The method of Claim 45, wherein said means for emitting includes a product derived from corn.

91. (New) The method of Claim 45, wherein said means for emitting includes corn cob grits.

92. (New) The method of Claim 46, further including a step of transporting said enclosure so that said enclosure is more available for use at the location having the termites.

93. (New) The method of Claim 46, wherein said concentration is less than a concentration for inhibiting the termites from entering said enclosure.

94. (New) The method of Claim 46, wherein said openings are not generated by termites.

95. (New) The method of Claim 46, wherein said enclosure is constructed of one or more of: plastic, glass, ceramic, and metal.

96. (New) The termite trap of Claim 46, wherein said enclosure includes at least one of: an insecticide, insect growth regulator, a feeding stimulant, or a termite attractant different from said at least one gas.

97. (New) The method of Claim 46, wherein said emitting source includes a product derived from corn.

98. (New) The method of Claim 46, wherein said emitting source includes corn cob grits.